

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Cr. No. 05-1849 JH

DANA JARVIS,

Defendant.

**ORDER GRANTING MOTION TO ENFORCE
PLEA AGREEMENT AND WITHDRAWING PREVIOUS ORDER OF DISMISSAL**

This matter is before the Court on Defendant Dana Jarvis' *Motion to Enforce Plea Agreement and for Specific Performance of Agreement to Dismiss With Prejudice* [Doc. No. 1628]. In the motion, Jarvis asks the Court to withdraw its previous Order of Dismissal filed on April 22, 2009 [Doc. No. 1602], which dismisses counts 2 through 25 against Jarvis *without* prejudice, and to enter a new order dismissing counts 2 through 25 of the superseding indictment *with* prejudice. In its response to the motion, the United States agrees to dismissal of those counts with prejudice. In light of the foregoing,

IT IS THEREFORE ORDERED that Defendant Dana Jarvis' *Motion to Enforce Plea Agreement and for Specific Performance of Agreement to Dismiss With Prejudice* [Doc. No. 1628] is **GRANTED**, and that this Court's *Order of Dismissal Without Prejudice* [Doc. No. 1602] is **WITHDRAWN**. An Order of Dismissal With Prejudice will be filed contemporaneously with this order.


UNITED STATES DISTRICT JUDGE